

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

MATTHEW GIBSON,

Plaintiff,

v.

CIVIL ACTION NO. 5:21-cv-00181

LOUISE E. GOLDSTON, individually;
COUNTY COMMISSION OF RALEIGH
COUNTY, a political subdivision; JEFF
MCPEAKE, individually; BRIAN WHITE,
individually; BOBBY STUMP, individually;
and KYLE LUSK, individually,

Defendants.


ORDER

Pending are Defendants' Motions to Dismiss [Docs. 9, 11, 13], filed April 19, 2021. Since then, discovery was conducted, and the Defendants now have refined their arguments in their Motions for Summary Judgment. Therefore, the Court **DENIES WITHOUT PREJUDICE** the Motions to Dismiss. The Court will enter an expedited order on the Motions for Summary Judgment once the briefing period has closed.

The Clerk is directed to send a copy of this written opinion and order to counsel of record and to any unrepresented party.

ENTER: March 29, 2022




Frank W. Volk
United States District Judge